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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,915	05/11/2001	Bo Stefan Pontus Wallentin	2380-336	4743

7590

06/24/2004

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EXAMINER

DAVIS, TEMICA M

ART UNIT

PAPER NUMBER

2681

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/852,915

Applicant(s)

WALLENTIN, BO STEFAN
PONTUS

Examiner

Temica M. Davis

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 9, 12, 13, 17, 20-25, 27, 28, 31, 32, 36, 39-44, 46, 47, 50, 51, 55, 58-61 and 64 is/are rejected.
- 7) ☒ Claim(s) 7, 10, 11, 14-16, 18, 19, 26, 29, 30, 33-35, 37, 38, 45, 48, 49, 52-54, 56, 57, 62 and 63 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4-6.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 42 is objected to because of the following informalities: it appears the claim should be dependent upon claim 39, and not claim 38. Appropriate correction is required.
2. Claim 63 is objected to because of the following informalities: on line 1, "receifved" should be "received". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 5, 6, 8, 9, 12, 13, 20-22, 24, 25, 27, 28, 31, 32, 39-41, 43, 44, 46, 47, 50, 51, 58-61 are rejected under 35 U.S.C. 102(e) as being anticipated by Leppisaari et al., US Patent Number 6,532,227 (hereinafter Leppisaari).

Regarding claims 1, 20, 39, and 58, Leppisaari discloses a method and apparatus of operating a radio access network of a telecommunications system,

comprising using an omnibus release message to release plural connections handled by the radio access network [col. 5: lines 4-45].

Regarding claims 2, 21, 40, Leppisaari discloses preparing the omnibus release message whereby, when a first selected parameter has a predetermined value, all radio connections controlled by the radio network control node are released [col. 5: lines 4-45].

Regarding claims 3, 22, 41, and 59, Leppisaari discloses when the first selected parameter is in a reserved range of values, all radio connections controlled by the radio network control node are released [col. 5: lines 4-45].

Regarding claims 5, 24, 43, and 60, Leppisaari discloses the first selected parameter is included in a mobile terminal global identity information element of the omnibus release message [col. 5: lines 4-7].

Regarding claims 6, 25, 44, and 61, Leppisaari discloses the first selected parameter is included in a radio network temporary identity information element of the omnibus release message [col. 5: lines 4-7 (temporary flow identity code)].

Regarding claims 8, 27, and 46, Leppisaari discloses preparing the omnibus release message whereby, when a first selected parameter thereof has a first predetermined value and a second selected parameter thereof has a second predetermined value, all radio connections in cells controlled by the radio network node are released [col. 5: lines 4-45].

Regarding claims 9, 28, and 47, Leppisaari discloses when the first selected parameter is in a first reserved range of values, all radio connections in cells controlled by the radio network control node are released [col. 5: lines 4-45].

Regarding claims 12, 31, and 50, Leppisaari discloses the first selected parameter is included in a mobile terminal global identity information element of the omnibus release message [col. 5: lines 4-7].

Regarding claims 13, 32, and 51, Leppisaari discloses the first selected parameter is included in a radio network temporary identity information element of the omnibus release message [col. 5: lines 4-7 (temporary flow identity code)].

5. Claims 1, 2, 4, 20, 21, 23, 39-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Lehtovirta et al., US Patent Publication Number 2001/0034228 (hereinafter Lehtovirta).

Regarding claims 1, 20, and 39, Lehtovirta discloses a method and apparatus of operating a radio access network of a telecommunications system, comprising using an omnibus release message to release plural connections handled by the radio access network [paragraph 0038].

Regarding claims 2, 21, 40, and 41, Lehtovirta discloses preparing the omnibus release message whereby, when a first selected parameter has a predetermined value, all radio connections controlled by the radio network control node are released [paragraph 0038].

Regarding claims 4, 23, and 42, Lehtovirta discloses the radio network control node is a serving radio network control node, and further comprising preparing the omnibus release message upon failure of the serving radio network control node [paragraphs 0038, 0050].

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 17, 36, 55, and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leppisaari.

Regarding claims 17, 36, 55, and 64, the Examiner takes official notice that it would have been well known to one of ordinary skill in the art at the time of the invention to include transmitting the omnibus release message on paging channel. The motivation for this would have been to include the message on a channel in which all relevant recipients could receive the release message.

Allowable Subject Matter

8. Claims 7, 10, 11, 14-16, 18, 19, 26, 29, 30, 33-35, 37, 38, 45, 48, 49, 52-54, 56, 57, 62 and 63 are objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Davis whose telephone number is 703-306-5837. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Erika Gary can be reached on 703-308-0123. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Temica M. Davis
June 23 2004


TEMICA M. DAVIS
PATENT EXAMINER